

**Maryland Military Department
Regulation 5-8**

Emergency Closing of Facilities

State of Maryland
Military Department
Fifth Regiment Armory
Baltimore, MD 21201-2288
19 January 2007

SUMMARY OF CHANGES

Maryland Military Department Regulation 5-8 Emergency Closing of Facilities

This revision, dated 19 January 2007:

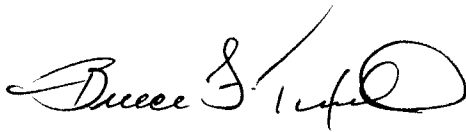
- Establishes new administrative guidelines concerning leave which complies with the latest guidance from the Office of Personnel Management for Federal Employee's Leave Benefits during periods of liberal leave, facility closings, late arrivals and early releases.
- Establishes new administrative guidelines concerning leave which complies with the latest guidance from the State of Maryland Department of Budget and Management Office during periods of liberal leave, facility closings, late arrivals and early releases.
- Clarifies the designation and use of State and Federal Employees who are considered "emergency essential", including their administrative guidelines concerning leave.
- Updates the procedures for obtaining current information associated with weather and emergency closings of our facilities through our new telephone and internet information systems.

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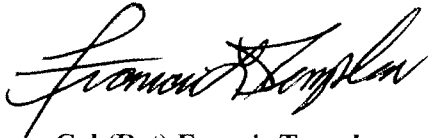
Emergency Closing of Facilities

**By order of The Adjutant
General:**



BRUCE F. TUXILL
Major General, MDANG
The Adjutant General

Official:



Col (Ret) Francis Templon
Chief of Staff, Maryland
Military Department

History- This publication is a major revision due to numerous changes in the rules and laws affecting Federal and State Employee's leave benefits, and lessons learned from recent emergency situations in the State. This publication was last revised 1 November 1995.

Summary- This regulation prescribes Maryland Military Department policy on the procedures governing the emergency closing of facilities for the full-time workforce (Federal and State employees) and traditional members of the National Guard. This is to be used throughout the entire Maryland National Guard and Maryland Military Department.

Applicability- This regulation applies to members of the Maryland National Guard, full-time and part-time, to include the Maryland Military Department, Joint Force Headquarters, Maryland Army National Guard, Maryland Air National Guard, Maryland Defense Force, and Maryland Emergency Management Agency. During mobilization, the proponents may modify chapters and policies contained in this regulation.

Proponents and exception authority- The proponent of this regulation is the Chief of Staff, Maryland Military Department for State Employees, and the MDNG HRO/J1 for Federal Employees. The proponents have the authority to approve exceptions to this regulation that are consistent with controlling law and regulations.

Supplementation- Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Chief of Staff, Maryland Military Department or MDNG HRO/J1.

**Send a draft copy of each
supplement to:**

State of Maryland
Military Department
ATTN: MDNG-AG-SPO
or MDNG-AG-HRO/J1
Fifth Regiment Armory
Baltimore, Maryland 21201-2288
for approval prior to publication.

Suggested improvements- Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to:

State of Maryland
Military Department
ATTN: MDNG-AG-SPO
or MDNG-AG-HRO/J1
Fifth Regiment Armory
Baltimore, Maryland 21201-2288

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Maryland Military Department Regulation 5-8

Emergency Closing of Facilities

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EMERGENCY CLOSING OF FACILITIES

SECTION 1

Emergency Closings for Full Time Work Force

1-1 Purpose - The purpose of this regulation is to establish policy applicable to all Federal employees (which includes dual and non-dual status technicians, Active Guard/Reserve (AGR) members, as well as other military personnel in various military duty statuses), and State personnel of this department, regarding the closing of facilities and the release or excusal of employees under emergency conditions. This regulation takes precedence over all other agency regulations related to closings, liberal leave, late openings, and early release of agency employees. Facilities refer to all facilities of the Maryland Military Department and Maryland National Guard to include: Armories, Field Maintenance Shops, Military Reservations, the Army Aviation Support Facility (AASF), and Warfield Air National Guard Base (WANGB).

1-2 References

- a. Code of Federal Regulations, see 610.101 through 610.408.
- b. State of Maryland Departments of Budget and Management, General Services, and Transportation, Subject: Procedure for release of State Employees under Emergency Conditions, Rev. Oct 1999.
- c. Local Collective Bargaining Agreements as applicable.

1-3 General

- a. The decision to close a National Guard facility or activity and the associated release of employees will be made by The Assistant Adjutant General for Army and The Assistant Adjutant General for Air after joint coordination and notification of The Adjutant General (TAG). A decision to close the Maryland Emergency Management Agency (MEMA) may be made by the Director of MEMA after notification of TAG.
- b. Following the decision to close, representatives from the office of the Assistant Adjutant General for Army and Air will contact the HRO, who will coordinate with the Maryland Joint Operations Center (MJOC) for the publication of appropriate announcements. If the event occurs during normal work hours, the HRO will notify the Agency's full-time Federal managers and supervisors, and the State Personnel Office to post notification to their respective employees. For State employees, the most recent statewide procedure for emergency release will take precedence where inconsistencies exist. A State Executive Order may take precedence over existing policy.
- c. When the decision is made to close a facility and release employees, all employees regardless of their status (State, Federal, Full Time Training Duty, Active Duty for Training (ADT), Active Duty Special Work (ADSW), Inactive Duty for Training (IADT), etc.) will be released, except for those identified as "emergency essential" personnel. State

emergency essential employees may be released or required to use leave at the discretion of their supervisor depending on the actual situation.

d. Policy established by this regulation concerns only the official closing of a facility. Individuals, who by their own personal circumstances, seek early release or who are not able to report for work due to these circumstances when the facility is otherwise open for business must use established procedures for requesting leave.

e. Personnel designated as “emergency essential” to operational capability or security are expected to report for duty as scheduled. Commanders, managers, and supervisors have the authority to designate those employees determined as emergency essential based on the situation. However, whenever possible, it is recommended that these personnel be informed in advance, preferably in writing that they are, or may be designated as emergency essential employees.

f. Commanders, managers and supervisors at each facility, organization, and functional area must identify emergency essential personnel at least annually (by December 1st), and notify them, preferably in writing, that they have been designated as such. The notice should include the requirement that emergency essential employees report for, or remain at work in emergency situations, and an explanation that dismissal or closure announcements do not apply to them unless they are instructed otherwise. Because of the unique circumstances of emergency situations, and the flexibilities required, commanders, managers, and supervisors may designate additional employees as emergency essential employees with little or no notice. These additional emergency essential employees will also be required to report for or remain at work to meet the requirements of each individual emergency situation. Additional employees may be designated as emergency essential after December 1st if they are new hires, or situationally depending on the circumstances, if their presence at a designated worksite is necessary to avoid or mitigate serious damage to public health, safety or welfare, or perform military duties in support of civil authorities in the protection of life and property.

1-4 Reasons for Closing - Facilities may close and employees may be released for:

a. Situations that arise from extreme weather conditions or other acts of nature, which result in dangerous travel conditions.

b. Situations that arise such as a fire, physical plant failure, utility outages, or structural problems, which result in unsafe working conditions.

c. A general announcement that State of Maryland Government offices are closed for any unforeseen reason and which could be considered an emergency situation.

d. Employees who work at the MDNG facilities and armories located on Federal installations, such as the Edgewood Area of Aberdeen Proving Ground, are not governed by their respective post closing notices. The closing of these facilities and armories will be governed by this regulation.

1-5 Localized Conditions

- a. If in the judgment of a commander, manager, or the senior person present representing a facility, a situation arises which poses a threat to the safety, health and welfare of employees, an appropriate request will be made to the Assistant Adjutant General for Army or Air, State Chief of Staff, or Director of the Maryland Emergency Management Agency, as appropriate, in the most expeditious manner, for approval to authorize the release of the employees and close the facility.
- b. Report the following information when making such a request:
 - (1) Name and title of the person making the request.
 - (2) Location(s) and activities involved.
 - (3) Telephone number at which the requestor can be reached.
 - (4) Number of employees affected (Federal & State).
 - (5) Description of existing and/or anticipated conditions upon which the request is based.
 - (6) Alternatives to releasing employees such as relocating to another facility or authorizing situational telework.
- c. Consideration must be given as to the need for the facility to remain open to support State Active Duty missions or emergency essential services.

1-6 Administrative Guidelines

- a. Full Day Closings – When any facility or installation closes prior to the start of the normal work hours or shift:
 - (1) State employees, with the exception of those on leave, are considered on emergency release time with no loss of pay or charge to leave.
 - (2) Federal technicians are placed on administrative leave. Federal technicians who were on previously approved leave for that day are granted administrative leave. The time and attendance accounting will be coded administrative leave for the Federal technicians regularly scheduled hours of duty (normally 10 hours). Federal technicians on military orders (for example annual training) will be coded administrative leave for the workday(s) the agency is not open for business since military leave is not charged for non-workdays.
 - (3) AGR personnel are granted a Pass.

b. Liberal Leave - When an emergency determination is made because of inclement weather, traffic or highway conditions, or for other reasons noted in this procedure, to allow for liberal leave at the beginning of a workday, non-emergency essential employees will be allowed to report to work at a reasonable time after the normal starting time or will be authorized to be absent for the entire workday should circumstances require it. Non-emergency essential employees not reporting for work, arriving late, or leaving early under a liberal leave determination will not be disciplined for tardiness or absence, but will be charged paid leave or leave without pay, as appropriate, for the period between their regularly scheduled official starting time and their arrival time, for the whole workday, or for the period of time from their departure from the workplace, and their regularly scheduled dismissal time, as appropriate. Employees must notify their supervisors of their intentions as soon as possible if they intend to request liberal leave. Exceptions to the liberal leave determination are employees designated as emergency essential who are required to work as necessary.

c. Late Openings - When a determination that the opening of a facility or installation is delayed due to an emergency situation or hazardous condition, non-emergency essential employees will be expected to report at the time indicated and perform work from what then becomes the official opening time until the close of business on that day. Once the revised reporting time is reached, normal notification policies apply for employees to request leave. The period from the normal opening time, to the revised reporting time, is considered:

(1) Emergency release time for State employees. State employees on previously approved leave are charged leave for the closure period.

(2) Considered administrative leave for Federal technicians. Federal technicians on prior approved leave will not be charged leave for the hours the facility is closed, and will be placed on administrative leave. Federal technicians not reporting for duty at the revised opening time will be charged leave, as appropriate, until they report. If for example, they remain off duty for the entire workday, leave will be charged for the period commencing with the facility's revised reporting time through the close of business.

(3) Considered a pass for AGR personnel until the revised reporting time.

d. Early Release - When a facility or installation is closed after the start of normal work hours due to an emergency situation or hazardous condition:

(1) Non-emergency essential State employees who have reported and are dismissed early, are on emergency release time with no loss of pay or charge to leave. State employees on previously approved leave are charged leave for entire workday as applicable. If a non-emergency essential State employee requests leave, and is permitted to leave work prior to the announcement of an official early release, they will be charged with leave for the remainder of the workday. Non-emergency essential State employees who leave work early after an announcement of an official early

release will be charged leave for the period between their departure and the beginning of the official early release time. State emergency essential personnel may be charged leave as appropriate.

(2) Federal technicians are granted Administrative Leave. Federal technicians on prior approved leave are on administrative leave for the hours the facility is closed. If a Federal employee who is present for duty, requests and is approved leave prior to the official early release time, they are charged leave for the period up to the official early release time, and then placed on administrative leave for the remainder of the workday.

(3) AGR personnel are granted a Pass for the remainder of the workday.

e. Emergency Essential Services -

(1) Emergency essential Federal and State employees who insure operational and mission capability or security during an emergency situation or hazardous condition may be required to report for duty, or remain on duty during these situations.

(2) State employees who are required or approved to report to and remain at the work site after an emergency situation has been declared, shall be compensated by being awarded compensatory time or additional pay as declared eligible and specified under Department of Budget and Management regulations and/or policy concerning work hours and overtime. These State employees may be credited with two hours of work time for each hour they work during the emergency period.

(3) Federal technicians shall be compensated by being awarded compensatory time only for the period outside of their normal duty hours. If they are required to report for duty and perform work on a holiday, they may be entitled to holiday premium pay.

(4) AGRs required to perform emergency essential services are not entitled to compensatory time.

f. Reporting Late - Emergency essential personnel must report regardless of the situation. Consideration will be given in the event extreme conditions delay reporting or make reporting impossible. Determination of leave status and proper disciplinary actions for employees not designated as emergency essential and who report late will be determined by the supervisory chain (usually initiated by the immediate supervisor) when liberal leave is not in effect.

g. HRO Guidance - In any case where groups of Federal technicians and AGR personnel are authorized release or liberal leave, the HRO will issue appropriate administrative guidance to the employees of the affected activity(ies). Guidance should be provided as soon as possible for distribution to supervisors, employees, labor unions, and Time and Attendance (T&A) reporting officials.

h. Personnel in Military Duty Status (AGR, ADSW, AT, etc) - Military personnel are not authorized administrative leave or compensatory time. Personnel in any military duty status will conform to the work/training schedule prescribed by the local commander/supervisor, or officially be given a Pass for the period a facility is closed due to an emergency.

i. Alert Rosters – It is recommended that each unit develop an alert roster for its full-time personnel as well as traditional soldiers and airmen.

j. Personnel on Temporary Duty - Any employee at a school, conference, or performing temporary duty at other than Maryland National Guard facilities will follow the guidance/local rules in effect at their temporary location. When in doubt, employees should contact their chain of command for further guidance.

1-7 Activity Planning

a. Each facility commander or manager, or the senior person present, is required to develop internal policies and procedures for carrying out this policy and for informing employees of its operation and applicability. It is absolutely necessary that any emergency essential personnel required to insure operational and mission capability, or security of a facility or installation, regardless of the situation affecting the release of personnel, be designated and informed as soon as possible of their status and their responsibilities.

b. If an announcement is made over local radio or TV stations that State or Federal Government offices in the area are closed due to emergency conditions, local National Guard facilities might also be closed and all employees released in accordance with this policy, however no facility will close before ensuring official approval through the appropriate chain of command.

SECTION 2

Emergency Closing of Facilities for Inactive Duty for Training (IDT)

2-1 Purpose - This section provides guidelines for the release of traditional guardsmen during IDT weekends in the event of an emergency situation or hazardous condition that requires the closure of facilities or cancellation of training.

2-2 General

a. The decision to close a National Guard facility or to cancel training will be made by The Assistant Adjutant General for Army and The Assistant Adjutant General for Air after joint coordination and notification of TAG.

b. After the decision has been made, representatives from the office of the Assistant Adjutant General for Army and Air will contact the Maryland Joint Operations Center (MJOC) for planning implementation.

2-3 Reasons for Closing and Canceling

Reference Para 1-4.

SECTION 3 **Notification**

3-1 Individual Inquiries - Soldiers and Airmen must use their chain-of-command as to whether they should report to their unit, a scheduled MDNG school/training site, or other event, because of weather forecasts or current weather conditions, or other emergency situations. Employees may also consult the following for updated information.

- a. All Federal and State employees of the Maryland Military Department and Maryland National Guard can call the MD Joint Forces Headquarters Auto Attendant System at 1 (866) 400-6364 and select option 5, then follow the prompts for facilities and weather related announcements. Announcements are updated by the HRO during the normal workweek, and the services for weekend IDT periods.
- b. All Federal and State employees located at the MDANG WANGB should call the base's main greeting line, 410-918-6210, and select option 2 from the automated menu (weather updates). In addition, if there is a facility closing or late opening due to inclement weather, hazardous conditions or other emergency, employees will be notified via the automated alert recall system. If early release is authorized, employees will be notified via e-mail, base page, big voice and/or their chain of command.
- c. Information concerning the closing of MDNG facilities and/or the release of employees will not normally be posted to the news media, (TV, radio, newspaper, etc.). However, general announcements affecting State employees may be made on radio stations served by the Associated Press. State employees are expected to verify these announcements using the telephone number listed above, or by contacting their individual supervisor.
- d. If the conditions are such that phone lines are inoperable, then the information may be broadcast over radio stations.
- e. General announcements affecting State employees can also be found at www.dbm.maryland.gov, and the weather announcements link located on that webpage.

3-2 Automated Announcements - The HRO/J1 will coordinate with the MJOC to use current technology, such as the Envoy System, to broadcast announcements concerning emergency closings and decisions to the Army and Air Staff.

3-3 Responsibilities - Each command will establish a full-time manning alert roster in conjunction with their traditional National Guard personnel alert roster. If in doubt as to whether to report for work or not, all Federal and State employees, and traditional National Guard members, should call their first-line supervisor or follow their chain-of-command for specific information.